

EVA WESTMORELAND,)
)
 Plaintiff,)
)
 v.) No. 4:17-CV-01626-AGF
)
 MEDTRONIC, INC., et al.,)
)
 Defendants.)

This wrongful death case, involving a medical device manufactured by Defendant Medtronic, Inc., is before the Court on Defendants’ motion for a Protective Order to govern use of materials produced during. Defendants have submitted their proposed Protective Order. Plaintiff objects to the scope of Defendants’ proposed Protective Order and has submitted her own proposed Protective Order. The Court has reviewed both sides’ proposals, as well as the arguments and evidence of the parties, and concludes that Defendants have shown good cause for entry of their proposed Protective Order, under Federal Rule of Civil Procedure 26(c). The terms of Defendants’ proposed Protective Order are standard for this type of case, and fair and reasonable.

Plaintiff's concerns and argument are unfounded. For example, Defendant has represented that it does not intend to designate publically-available information as confidential. And Plaintiff's assertion that to comply with the provision of Defendants' proposed Order that confidential materials be returned or destroyed within 90 days after final disposition of this action would force Plaintiff's counsel to violate Missouri Rules of

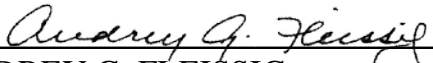
Professional Conduct about destruction of a client's file is without merit, as Plaintiff's counsel could simply return the materials at issue rather than destroy them.

The Court further concludes that Defendants' motion was timely.

Accordingly,

IT IS HEREBY ORDERED that Defendants' motion (ECF No. 25) for a protective order is **GRANTED**. The Clerk's Office shall file the attached Protective Order in this case.

IT IS FURTHER ORDERED that the parties shall continue to engage in discovery in an expeditious manner.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 25th day of January, 2018.